HON'BLE SRI JUSTICE GODA RAGHURAM

Writ Petition No.5540 of 2006

Between:

Smt. Pathiwada Mahalakshmi … Petitioner

And

The Visakhapatnam Port Trust,

Represented by its Chairman,

Visakhapatnam.

… Respondent

March 21, 2006

-

-

-

-

Oral Order:

This writ petition is misconceived. The grievance of the petitioner is that without any entitlement, the respondent Visakhapatnam Port Trust is obstructing the petitioner from the beneficent enjoyment of her site in an extent of 544 square yards in Patta No.1114 of Allipuram Extension Ward, Visakhapatnam to which she acquired title and possession under registered possessory agreement dated 26-4-2004.

The relief sought herein is pure and simple, an injunctive relief. No case is made out for interference under Article 226 of the Constitution. The petitioner has an effective alternative remedy before the Civil Court of competent jurisdiction. The petitioner should be relegated to prosecute the said remedy. The writ petition is accordingly dismissed with liberty to the petitioner to pursue the appropriate alternative remedy.

GODA RAGHURAM, J

March 21, 2006

svs